

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ITHACA CAPITAL INVESTMENTS I, S.A., ITHACA
CAPITAL INVESTMENTS II, S.A., and ORESTES
FINTIKLIS,

Civil Action No. 1:18-cv-390

**NOTICE OF MOTION TO
DISMISS**

Plaintiffs,

- against -

TRUMP PANAMA HOTEL MANAGEMENT LLC,
and TRUMP INTERNATIONAL HOTELS
MANAGEMENT, LLC,

Defendants.
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PLEASE TAKE NOTICE that, pursuant to this Court's minute entry from the May 3, 2019 status conference, and upon the Declaration of Darryl R. Graham, dated June 3, 2019 and the exhibits annexed thereto, the accompanying Memorandum of Law, dated June 3, 2019, and all prior pleadings and proceedings in this case, Plaintiffs Ithaca Capital Investments I, S.A., Ithaca Capital Investments II, S.A. and Orestes Fintiklis ("Plaintiffs"), by and through their undersigned counsel, hereby move this Court before the Honorable Edgardo Ramos, at the United States Courthouse, 40 Foley Square, Courtroom 619, New York, New York, 10007, for an order: (i) granting the motion, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, to dismiss the Counterclaims filed by defendants Trump Panama Hotel Management LLC and Trump International Hotels Management LLC, dated April 23, 2018; and (ii) granting such other and further relief as this Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE, that pursuant to this Court's minute entry from the May 3, 2019 status conference, oppositions, if any, are due on or before July 3, 2019 and replies, if any, are due on or before July 17, 2019.

Dated: New York, New York
June 3, 2019

AKERMAN LLP

By: /s Darryl R. Graham
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